United Nations S/2014/6

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Letter dated 3 January 2014 from the Secretary-General addressed to the President of the Security Council

I refer to my letter dated 19 December 2012 (S/2012/954) informing the President of the Security Council of the progress made by the Cameroon-Nigeria Mixed Commission, and his reply dated 21 December 2012 (S/2012/955), in which he took note of my intention to continue the activities of the United Nations support team to the Mixed Commission with funding from the regular budget. In the same spirit, by the present letter, I would like to inform you of the latest achievements and activities undertaken by the Mixed Commission.

As you know, the United Nations established the Mixed Commission to facilitate the implementation of the judgment of the International Court of Justice of 10 October 2002 on the Cameroon-Nigeria boundary and territorial disputes. Through my good offices, and with the support of the United Nations Secretariat, I have continued to facilitate the implementation of the judgment of the Court.

The mandate of the Mixed Commission includes supporting the demarcation of the land boundary and delineation of the maritime boundary, facilitating the withdrawal and transfer of authority, addressing the situation of affected populations and making recommendations on confidence-building measures. Achievements to date in the implementation of the judgment of the Court include the withdrawal of Nigeria and transfer of authority to Cameroon in the Lake Chad area (December 2003), along the land boundary (July 2004) and in the Bakassi peninsula (a process which began in June 2006 and was completed in August 2008); the delineation of the maritime boundary (May 2007); and the end of the special transitional regime of five years, established under the Greentree Agreement in June 2006, and the exercise by Cameroon of full rights of sovereignty over the Bakassi zone (August 2013). The Mixed Commission also approved all of the recommendations of the Working Group on the Maritime Boundary, including the provisions for cross-border cooperation on hydrocarbon deposits straddling the maritime boundary (March 2011).

In the course of 2013, the Mixed Commission continued to facilitate the process, including by helping to maintain dialogue and communication between the two countries. The most significant development was the termination, on 14 August 2013, of the special transitional regime of five years in the Bakassi zone established under the Greentree Agreement. This was confirmed in a joint declaration adopted and signed by the heads of delegation of Cameroon and Nigeria and my Special Representative for West Africa and Head of the United Nations Office for West Africa at the end of the twenty-third and final meeting of the Follow-up Committee

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established to monitor the implementation of the Agreement, held in Geneva on 21 and 22 October 2013. Cameroon is thus fully exercising its rights of sovereignty over the totality of the Bakassi zone, as stipulated in the Agreement. Throughout the process, diplomatic and economic relations between Cameroon and Nigeria have steadily improved, and a number of positive developments have followed, including the initialling of a draft framework agreement on joint exploitation of hydrocarbon resources straddling the maritime boundary of the two countries. A comprehensive report of the proceedings of the Follow-up Committee since its inception in July 2006 is being prepared.

During the thirty-first meeting of the Mixed Commission, held in Yaoundé on 25 and 26 April 2013, the delegations of Cameroon and Nigeria endorsed the outcome of the successful field assessment missions to the Gotel Mountains, one of the most inaccessible areas of the land boundary, and to the village of Mada, which has been a particular area of contention since 2005, paving the way for the demarcation of another 63 kilometres of land boundary. Throughout 2013, demarcation activities focused on the resolution of the remaining areas of disagreement. To that end, a mission by an independent international expert in hydrology organized in November 2013 to identify the course of the eastern channel of the Keraua River and the main channel of the Mayo Tiel River, one of the long-standing areas of disagreement. To expedite the conclusion of the demarcation process, the remaining outstanding issues and ways forward will be discussed and agreed upon at the upcoming thirty-second meeting of the Mixed Commission. To date, the parties have agreed on the demarcation of 1,893 kilometres of an estimated total of 2,100 kilometres of land boundary.

The Mixed Commission launched the final mapping of the international boundary during the first half of 2013. At the final mapping working session of the Mixed Commission, held in New York in June 2013, the parties agreed on the modalities and legal considerations inherent to the exercise; in follow-up, the first set of maps at the scale of 1:50,000 will be submitted to the parties for their consideration and approval at the thirty-second meeting of the Mixed Commission. The cartographic representation of the Cameroon-Nigeria common international boundary will be part of an international boundary agreement in which the two States would, inter alia, record their concurrence on their common international boundary line, the forms of which are currently under definition. A series of maps, elevated to the status of "legally-agreed maps" depicting the boundary line, would be appended. The statement, which will include an index of geographic coordinates of the agreed boundary points resulting from the field assessment, will be the binding source for the demarcation of the Cameroon-Nigeria boundary.

Progress was also made on the emplacement of pillars along the boundary line. Following the decision of the Mixed Commission in April 2013 to resume the construction of pillars in the southern and central sections of the boundary, the procurement of engineering work for the construction of 323 of the remaining 920 boundary pillars was launched by the United Nations in July 2013. The project steering committee and technical monitoring team met in Ikom, Nigeria, from 9 to 12 October 2013 and agreed on the schedule of operations. Security and logistic assessment, as well as sensitization of local communities, were conducted from 25 October to 12 November 2013 in the areas affected by construction activities, with the support of United Nations civilian observers. On 12 November 2013, the contract for the construction of the 323 boundary pillars was awarded to Geocyclic

Consult Limited for a total value of $1,412,904, financed under the trust fund for the demarcation activities. The related activities commenced on 20 November 2013.

In February 2013, the European Union, which funded demarcation activities from 2006 to 2010, carried out an independent evaluation of the assistance provided. Highlighting the genuine ownership of the parties, the evaluation noted the positive impact of the process towards reaching a sustainable settlement of the boundary dispute. The review recommended, inter alia, a further contribution for the completion of construction of the boundary pillars, along with accompanying measures to minimize the risk of future disagreements and conflicts.

Throughout 2013, the Mixed Commission continued to support the formulation of confidence-building measures to guarantee the security and well-being of the populations in the two countries affected by the demarcation. My Special Representative initiated contacts with potential donors with a view to securing support for the socioeconomic programme of the Mixed Commission, which focuses on development projects for the border communities. In this connection, the European Union has expressed its commitment to continue to provide funding from the eleventh European Development Fund (2014-2020), while the World Bank has pledged to promote confidence-building projects for the populations affected by the demarcation. Proposed socioeconomic projects were reviewed by the United Nations agencies in Cameroon and transmitted to the Government on 26 September 2012 for validation. The Government of Nigeria approved, on 15 September 2013, a United Nations programme document on socioeconomic projects for the communities affected by the judgment of the International Court of Justice. The feasibility study of the selected projects and related costs is ongoing.

United Nations civilian observers monitoring the situation along the land boundary and in the Bakassi peninsula have concluded that the prevailing situation continues to be peaceful. Noting that the special transitional regime under the Greentree Agreement has ended, the ongoing process of confidence-building measures should be pursued under the platform of the Mixed Commission to further strengthen the relationship between Cameroon and Nigeria and consolidate the gains achieved under the process.

Overall, it is expected that the field assessment of the areas of the boundary not yet assessed would be completed by the end of 2014 or early 2015, depending on the availability of the parties. Provision of required security by the host Governments will continue to be critical, in particular along the northern part of the boundary. Regarding the settlement of the outstanding areas of disagreement, most, if not all, could be resolved during the same period if the parties demonstrate flexibility and adhere to compromise solutions. This, in turn, would allow the finalization of the demarcation process, the final maps and the pillar emplacement work by the end of 2015. However, completion of the bulk of the demarcation work will depend on the ability of the two parties to reach an agreement on the remaining areas of disagreement in a timely manner.

After 31 December 2013, the following activities are required, in view of the conclusion of the work of the Mixed Commission, as indicated above:

(a) Finalization of demarcation activities, final maps and the boundary statement;

(b) Facilitation of boundary pillar emplacement, financed by the trust fund for the demarcation activities;

(c) Promotion of cross-border cooperation, including maritime cooperation, and joint security monitoring along the land boundary;

(d) Finalization of confidence-building initiatives for local communities affected by the demarcation;

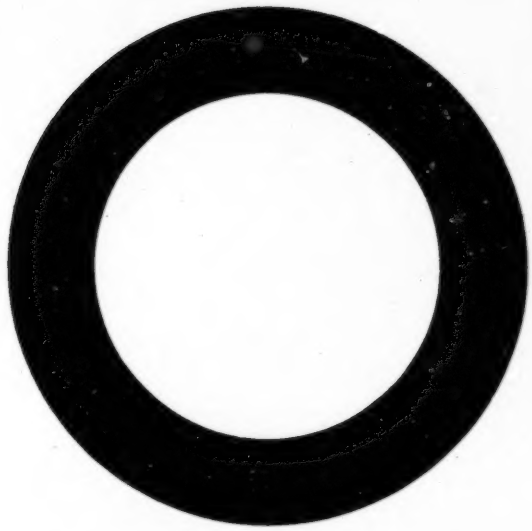
(e) Implementation of the exit strategy by handing over the activities of the Mixed Commission to the Joint Bilateral Commission and other subregional structures.

I would like to recall that, until 2003, the Mixed Commission was funded entirely from extrabudgetary funds. During the period from 2004 to 2013, the activities of the Mixed Commission were funded through the United Nations regular budget. The Governments of Austria, Bangladesh, Brazil, Canada, Italy, Norway, Pakistan, Sweden and Uruguay have provided in-kind contributions for the substantive and technical work of the Commission (military and legal experts), in addition to the logistical support provided by the Governments of Cameroon and Nigeria, and the voluntary contributions of both countries, as well as those of Canada, the United Kingdom of Great Britain and Northern Ireland and the European Union, to the trust fund for the demarcation activities.

Given the cost-effectiveness of the operation and the important tasks remaining at this juncture to help to advance the peaceful implementation of the judgment of the International Court of Justice, it is my intention to ask for resources from the regular budget for the Mixed Commission for the period from 1 January to 31 December 2014.

I should be grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon



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Letter dated 8 January 2014 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 3 January 2014 (S/2014/6), concerning your intention to continue the activities of the United Nations support team to the Cameroon-Nigeria Mixed Commission, with funding from the regular budget, has been brought to the attention of the members of the Security Council. They take note of the information contained in your letter and the intention expressed therein.

(*Signed*) Zeid Ra'ad Zeid **Al-Hussein**
President of the Security Council

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